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TO: Examiner Hani M. Kazimi
 USPTO FACSIMILE No.: 703.872.9306
 USPTO REFERENCE: Applicant: Kevin J. Wagoner et al.
 Serial No.: 09/283,120
 Filed: March 31, 1999
 Title: CONTINUOUS ONLINE AUCTION SYSTEM AND METHOD
 ATTORNEY: TMC
 PHONE No.: 949.721.2897
 ATTORNEY DOCKET No.: AUTOB.059A
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 DATE: November 12, 2004

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MESSAGE: *Attached for filing in the above-referenced application are:*

Request for Reconsideration of Advisory Action Mailed October 12, 2004.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant : Kevin J. Wagoner, et al.
Appl. No. : 09/283,120
Filed : March 31, 1999
For : CONTINUOUS ONLINE
AUCTION SYSTEM AND
METHOD
Examiner : Hani M. Kazimi
Group Art Unit : 3624

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November 12, 2004

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Ted M. Cannon, Reg. No. 55,036

REQUEST FOR RECONSIDERATION OF ADVISORY ACTION MAILED 10/12/2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request the Examiner to reconsider the October 12, 2004 advisory action in the above-referenced application. In the advisory action, the Examiner noted that Claims 54-57 of Applicants' July 28, 2004 amendment contain new features that require further search and consideration. Accordingly, the Examiner did not enter the July 28, 2004 amendment.

Applicants respectfully disagree with the Examiner's finding that Claims 54-57 contain new features. Instead, Applicants respectfully submit that Claims 54-57 have the same scope as Claims 53 and 54 as presented in Applicants' October 29, 2003 amendment. Accordingly, because the Examiner indicated that Claims 53 and 54 would be allowable if rewritten in independent form, Applicants believe that the July 28, 2004 amendment placed the application in condition for allowance. Applicants respectfully submit that the Examiner should have entered the July 28, 2004 amendment and should have allowed Claims 54-57 and Applicants respectfully request such action.

Applicants thank the Examiner for granting Applicants' attorney a telephonic interview on November 5, 2004 to discuss this issue. During that interview, the Examiner encouraged Applicants' attorney to file a request for reconsideration of the advisory action. The Examiner